

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/685,750	BUDZIK, MARK	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gay Ann Spahn	3673	

**All Participants:**

**Status of Application:** Appeal

(1) Gay Ann Spahn, Patent Examiner.

(3) \_\_\_\_\_.

(2) Allen J. Hoover, Attorney.

(4) \_\_\_\_\_.

**Date of Interview:** 13 July 2006

**Time:** \_\_\_\_\_

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

**Exhibit Shown or Demonstrated:** ☐ Yes ☒ No

If Yes, provide a brief description:

**Part I.**

**Rejection(s) discussed:**

*None*

**Claims discussed:**

*Independent claims 1, 3, 5, and 7*

**Prior art documents discussed:**

*None*

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*See Continuation Sheet*

**Part III.**

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

  
 (Examiner/SPE Signature)

\_\_\_\_\_  
 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner Spahn called Attorney Hoover to explain that the Appeal had been returned to her from the Board of Appeals and Interferences because of a defect in the appeal brief in the Summary of the Claimed Subject Matter section. Further, the examiner explained that the appeal brief should be corrected by filing a paper (not an entire new appeal brief) simply correcting the section entitled "Summary of the Claimed Subject Matter" by including the subject matter of independent claim 3 and by referring to page and line numbers of the specification with respect to all of independent claims 1, 3, 5, and 7. Examiner Spahn also explained that Appellant's Supplemental Reply Brief filed 21 April 2006 was not being entered because it contained new evidence which is not permitted and because of this, the examiner was vacating her Supplemental Examiner's Answer mailed 24 May 2006..